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Application Number	10/758,903
Filing Date	January 16, 2004
First Named Inventor	Tidwell, et al.
Art Unit	
Examiner Name	
Attorney Docket Number	710101.1380

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☒ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s)
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- ☐ Appeal Communication to Group **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (Please Identify Below): Statement Under 37 CFR3.73(b) Copy of Assignment Return Receipt Postcard

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	**Jon E. Holland, Reg. No. 41,077** **Thomas, Kayden, Horstemeyer & Risley, L.L.P. 100 Galleria Parkway, Suite 1750** **Atlanta, Georgia 30339-5948 Tel. (770) 933-9500 Fax (770) 951-0933 Customer No. 24504**
Signature	Jon Holland
Date	4/23/04

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APR 26 2004
PATENT & TRADEMARK OFFICE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Tidwell, et a l.

Serial No.: 10/758,903

Filed: January 16, 2004

Confirmation No.:

Group Art Unit:

Examiner:

Docket No.: 710101.1380

For: System and Method to Backup Communication Occurring Across a Plurality of Subscriber Lines

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This information disclosure statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, and specifically:

☒ under 37 CFR 1.97(b), or
(within Three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

☐ under 37 CFR 1.97(c) together with either a:
- ☐ Statement Under 37 C.F.R. 1.97(e), or
- ☐ a $180.00 fee under 37 CFR 1.17(p), or

(After the CFR 1.97(b) time period, but before the final office action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with a:
- ☐ Statement under 37 CFR 1.97(e), and
- ☐ a $180.00 petition fee set forth in 37 CFR 1.17(p).

(Filed after final office action or notice of allowance, whichever occurs first, but before payment of the issue fee)

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Enclosed is Credit Card Payment Form (PTO-2038) in the amount of $.

Please charge $ to deposit account . At any time during the pendency of this application, please charge any fees required to Deposit Account pursuant to 37 CFR 1.25. The Commissioner is hereby requested to credit any overpayment to Deposit Account No. .

☒ Applicant(s) submit herewith *Form PTO 1449A - Information Disclosure Statement by Applicant* together with copies (where required) of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may or may not be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. As required by 37 C.F.R. §1.98(a), a legible copy of each document is provided.

☐ A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on the form PTO 1449 and is enclosed herewith.

The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention over any of the listed documents should they be applied as reference, and/or the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.

This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present application does not exist. Any statements or identifications regarding the relevance of any portion(s) of cited references should not be construed as a representation that the most relevant portion(s) have been identified, and the absence of such statements or identifications should not be construed as representations that there are no relevant portion(s). The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is requested that the information disclosed herein be made of record in this application and that the Examiner initial and return a copy of the enclosed PTO-1449 to indicate the documents have been considered.

Respectfully Submitted,

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.

By: _____

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Shana R. East
Signature

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Form PTO-1449

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Attorney Docket No.	Serial No.
710101.1380	
Applicant: **Tidwell, et al.**	
Filing Date: **January 16, 2004**	Group

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A	5,406,564	4/11/1995	Okita			
	B	6,564,051	5/13/2003	Struhsaker, et al.			
	C	5,193,086	4/9/1993	Satomi, et al.			
	D	5,581,542	12/3/1996	Kato, et al.			
	E	5,515,429	5/7/1996	Kawada, et al.			
	F	5,226,037	7/6/1993	Satomi, et al.			
	G						
	H						
	I						
	J						
	K						

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	L							
	M							
	N							
	O							

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, etc.)*

	P	
	Q	
	R	

* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

EXAMINER'S SIGNATURE:	DATE CONSIDERED: